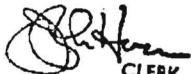


FILED
MAR 09 2010

CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA, * CR 09-40062
*
Plaintiff, *
*
vs. * ORDER
*
RUBEN GUTIERREZ-ARIAS, *
*
Defendant. *

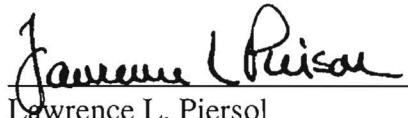
Pending before the Court is the Defendant's Plea Agreement, Factual Basis Statement, and Supplement to Plea Agreement. A hearing to take the plea was held before the Magistrate Judge on February 17, 2010, and Judge Simko issued a Report and Recommendation accepting the plea, and recommending to this Court that the Defendant be adjudged guilty as charged in the Indictment with Illegal Reentry After Deportation in violation of 8 U.S.C. § 1326(a). After a careful review of the file, and the parties having waived their right for objections,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, and the Defendant Ruben Gutierrez-Arias is adjudged guilty.

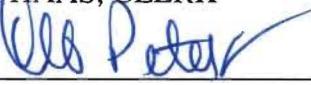
Dated this 9th day of March, 2010.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 

DEPUTY